

## 61ST LEGISLATURE—REGULAR SESSION

the first Tuesday after the first Monday in August, 1969, at which election all ballots shall have printed on them the following:

"FOR the Constitutional amendment to exempt nonprofit water supply corporations from taxation."; and

"AGAINST the Constitutional amendment to exempt nonprofit water supply corporations from taxation."

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election, and this amendment shall be published in the manner and for the length of time required by the Constitution and laws of this state.

Passed the Senate on February 13, 1969: Yeas 28, Nays 0; April 16, 1969, Senate concurred in House amendment: Yeas 25, Nays 1; passed by the House on April 16, 1969, with amendment: Yeas 129, Nays 13.

Signed by the Governor April 17, 1969.

## PROPOSED CONSTITUTIONAL AMENDMENT—ASSISTANCE AND MEDICAL CARE FOR NEEDY AGED, DISABLED AND BLIND PERSONS, AND NEEDY DEPENDENT CHILDREN

S. J. R. No. 8

Proposing an Amendment to the Constitution of the State of Texas, amending Section 51-a of Article III; providing that the Legislature shall enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance grants out of state funds to and/or medical care on behalf of needy aged persons, needy persons who are totally and permanently disabled, needy blind persons, and needy dependent children and the caretakers of such children; providing rehabilitation and any other services included in the federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care; authorizing the Legislature to prescribe eligibility requirements; providing for the acceptance and expenditure of funds from the Government of the United States for such purposes; authorizing appropriations for such purposes out of state funds; providing that the maximum amount paid out of state funds to any individual recipient shall not exceed the amount that is matchable out of federal funds; providing that the total amount of such payments for assistance only out of state funds on behalf of such needy individuals shall not exceed Eighty Million Dollars (\$80,000,000) per year; provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate federal statutes as they now are or as they may be amended, to the extent that federal matching money is not available to the state for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such federal matching money will be available for assistance and/or medical care for or on behalf of needy persons; providing for the necessary election, form of ballot, proclamation, and publication.

*Be it resolved by the Legislature of the State of Texas:*

Section 1. That Section 51-a of Article III of the Constitution of the State of Texas be amended, and the same is hereby amended so as to read as follows:

"Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other

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limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance grants to and/or medical care for, and for rehabilitation and any other services included in the federal laws as they now read or as they may hereafter be amended, providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance grants to and/or medical care for, and for rehabilitation and other services to or on behalf of:

"(1) Needy aged persons who are citizens of the United States or non-citizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years;

"(2) Needy individuals who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;

"(3) Needy blind persons;

"(4) Needy dependent children and the caretakers of such children.

"The Legislature may prescribe such other eligibility requirements for participation in these programs as it deems appropriate.

"The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy persons, in providing rehabilitation and any other services included in the federal laws making matching funds available to help such families and individuals attain or retain capability for independence or self-care, to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of state funds for such purposes; provided that the maximum amount paid out of state funds to or on behalf of any needy person shall not exceed the amount that is matchable out of federal funds; provided that the total amount of such assistance payments only out of state funds on behalf of such individuals shall not exceed the amount of Eighty Million Dollars (\$80,000,000) during any fiscal year.

"Supplementing legislative appropriations for assistance payments authorized by this Section, the following sums are allocated out of the Omnibus Tax Clearance Fund and are appropriated to the State Department of Public Welfare for the period beginning September 1, 1969 and ending August 31, 1971: Three Million, Six Hundred Thousand Dollars (\$3,600,000) for Old Age Assistance, Two Million, Five Hundred Thousand Dollars (\$2,500,000) for Aid to the Permanently and Totally Disabled, and Twenty-Three Million, Nine Hundred Thousand Dollars (\$23,900,000) for Aid to Families with Dependent Children. Such allocations and appropriations shall be made available on the basis of equal monthly installments and otherwise shall be subject to the provisions of currently existing laws making allocations and appropriations for these purposes.

"Provided further, that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate federal statutes, as they now are or as they may be amended to the extent that federal matching money is not available to the state for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such federal matching money

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will be available for assistance and/or medical care for or on behalf of needy persons.

"Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this state."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday in August, 1969. At the election the ballots shall be printed to provide for voting "FOR" or "AGAINST" the proposition:

"The Constitutional Amendment providing for assistance to and/or medical care on behalf of the needy aged, the needy blind, the needy disabled, and the needy dependent children and their caretakers; establishing Eighty Million Dollars (\$80,000,000) as the maximum amount that may be paid per year from state funds for assistance only; allocating and appropriating additional sums supplementing current legislative appropriations for assistance grants; and authorizing the Legislature to enact such laws as may be necessary in order that federal matching money will be available for assistance and/or medical care."

Passed the Senate on March 26, 1969: Yeas 28, Nays 2, April 16, 1969, Senate concurred in House amendments: Yeas 29, Nays 2; April 17, 1969, vote by which Senate concurred in House amendments was reconsidered by unanimous consent; Senate refused to concur in House amendments and requested appointment of Conference Committee; April 17, 1969, request granted; April 17, 1969, Senate adopted Conference Report by the following vote: Yeas 26, Nays 1; adopted by the House on April 16, 1969, with amendments: Yeas 143, Nays 2; April 17, 1969, House granted request of Senate for appointment of Conference Committee; April 17, 1969, House adopted Conference Report: Yeas 106, Nays 37.

Signed by the Governor April 17, 1969.

Adopted at election held on August, 5, 1969.